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SHIONOGI & CO., LTD.

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

**SHIONOGI & CO., LTD.,**  
**Plaintiff,**  
**v.**  
**INTERMUNE, INC.,**  
**Defendant.**

**Case No. 3:12-CV-03495-EDL**

**STIPULATION AND PROPOSED  
ORDER REGARDING CASE  
SCHEDULE FOLLOWING INITIAL  
CASE MANAGEMENT  
CONFERENCE**

1           During the initial case management conference held on November 13, 2012, the Court  
 2 provided the parties with guidance regarding the case schedule. The parties have met and  
 3 conferred and agreed to the following case schedule:

Event	Parties' Joint Proposal
<b>Initial Disclosures</b>	October 2, 2012
<b>Deadline to File Motions to Join Parties</b>	November 15, 2012
<b>ADR 1</b>	By February 28, 2013
<b>Deadline for filing motion or stipulation to Amend Pleadings</b>	March 15, 2013
<b>Supplemental Rule 26(e)(1) Disclosures (as required by Magistrate Laporte's standing order)</b>	June 7, 2013
<b>Close of Fact Discovery</b>	July 5, 2013
<b>Identification of Opening Experts and Subjects of Testimony</b>	July 12, 2013
<b>Deadline for Filing Motion to Compel (as required by Local Rule 37-3)</b>	July 12, 2013
<b>Opening Expert Reports</b>	August 7, 2013
<b>Rebuttal Expert Reports</b>	September 4, 2013
<b>Close of Expert Discovery</b>	October 7, 2013
<b>ADR 2</b>	TBD
<b>Deadline for Filing Motion to Compel Expert Discovery (as required by Local Rule 37-3)</b>	October 14, 2013
<b>Deadline for Hearing Dispositive Motions</b>	December 3, 2013
<b>Deadline for Lead Trial Counsel to Meet and Confer re (1) Joint Pretrial Conference Statement, (2) Preparation and exchange of pretrial materials, and (3) settlement of action</b>	January 13, 2014
<b>Deadline to File Joint Pretrial Conference Statement</b>	February 13, 2014

	<b>Event</b>	<b>Parties' Joint Proposal</b>
2	<b>Deadline to file trial briefs and motions in limine</b>	February 13, 2014
3	<b>Deadline to file proposed voir dire questions, jury instructions and verdict forms</b>	February 13, 2014
5	<b>Deadline to file excerpts from discovery that will be offered at trial (including designations of deposition testimony)</b>	February 13, 2014 Affirmative designations will be exchanged between the parties no later than January 27, 2014. Counter-designations will be exchanged no later than February 10, 2014.
9	<b>Deadline to file exhibits setting forth the qualifications and experience of each expert witness</b>	February 13, 2014
12	<b>Deadline to file list of each party's exhibits and to exchange premarked exhibits and deliver two sets to chambers</b>	February 13, 2014 A list of such exhibits will be exchanged between the parties no later than January 27, 2014.
15	<b>Deadline to file objections to exhibits or deposition excerpts or other discovery</b>	February 25, 2014 Objections to affirmative deposition designations and exhibits will be exchanged between the parties no later than February 10, 2014. Objections to counter-designations will be exchanged between the parties no later than February 21, 2014.
20	<b>Deadline to file objections to non-expert witnesses</b>	February 25, 2014
21	<b>Deadline to file objections to proposed voir dire questions, jury instructions, and verdict forms</b>	February 25, 2014
23	<b>Deadline to file oppositions to motions in limine</b>	February 25, 2014
24	<b>Deadline for Supplemental Rule 26(e) Disclosures</b>	February 25, 2014
25	<b>Pretrial Conference</b>	March 18, 2014
26	<b>Trial Date</b>	April 14, 2014 (7 court days)

1  
2 Dated: November 20, 2012

JONES DAY

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4 By: /s/ Jason McDonell  
5 Jason McDonell

6 Attorneys for Plaintiff  
7 SHIONOGI & CO., LTD.

8 Dated: November 20, 2012

CRAVATH, SWAINE & MOORE LLP

9  
10 By: /s/ Gary A. Bornstein  
11 Gary A. Bornstein

12 Attorneys for Defendant  
13 INTERMUNE, INC.

14 Pursuant to the parties' stipulation, IT IS SO ORDERED.

15  
16 Dated: \_\_\_\_\_, 2012

17 The Honorable Elizabeth D. Laporte  
18 United States Magistrate Judge

19 **Civil L.R. 5(i)(3) Attestation of Concurrence of Signatures**

20 I, Jason McDonell, am the ECF user whose identification and password are being used to  
21 file this Stipulation and Proposed Order. Pursuant to Civil L.R. 5(i)(3), I hereby attest that Gary  
22 Bornstein, counsel for Defendant, has concurred in the filing of this document.

23  
24 Dated: November 20, 2012

JONES DAY

25 By: /s/ Jason McDonell  
26 Jason McDonell

27 Attorneys for Plaintiff  
28 SHIONOGI & CO., LTD.